IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 11231 of 2005

Between:

Smt. G. Padmamma, W/o. Chandra Mouli,
Resident of Vedenaparthy Village, Kalway Mandal, Nellore District.

..... PETITIONER

AND

1 Mr. Vara Kumar, The Mandal Revenue Officer, Kalway Mandal,
Nellore District.
2 Mr. D. Venkata Ramana Reddy, The Revenue Divisional Officer, Nellore,
Nellore District.
3 Mr,. N. Sridhar, The Joint Collector, Nellore,
Nellore District.
4 The District Collector, Nellore,
Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of "Writ of Mandamus " or any other appropriate writ a) prosecute the Respondent No. 1 to 3 to pay the harassment faced by the petitioner; b) direct the Respondent No. 1 to 3 to pay the defamation damages for Rs. 5,00,000/- lakhs each; c) restore the licence of the petitioner of F.P. Shop.

Counsel for the Petitioner: MR.V.SARAVANA KUMAR

Counsel for the Respondent Nos.1 to 4: GP FOR CIVIL SUPPLIES

This Court at the admission stage made the following:

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O R D E R:

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This writ petition is filed seeking to declare the action of the respondents 1 to 3 in harassing the petitioner as arbitrary and illegal, and consequently to direct the respondents 1 to 3 to pay the defamation damages and to restore the licence in respect of the Fair Price Shop of the petitioner.

Heard the learned counsel for the petitioner and the leaned Government Pleader for the respondents.

Admittedly, if any harassment is faced by the petitioner in the hands of the respondents 1 to 3, the same has to be investigated and enquired into by the Police concerned, and that the claim for defamation damages, if any, has to be pleaded and established before the competent Forum. These issues cannot be decided in a writ petition filed under Article 226 of the Constitution of India and the writ petition is devoid of merits.

The writ petition is accordingly disposed of leaving liberty to the petitioner to avail the appropriate remedies under law. No costs.

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(K. C. BHANU, J)

Date:17-05-2005

Note:

Issue CC in three days.

B/o

ghn

To

1 The Mandal Revenue Officer, Kalway Mandal,
Nellore District.
2 The Revenue Divisional Officer, Nellore,
Nellore District.
3 The Joint Collector, Nellore,
Nellore District.
4 The District Collector, Nellore,
Nellore District.

4 Two CCs to the Government Pleader for Civil Supplies, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.